

## HERK VISNAPUU AND HIS WIFE, NAIMA

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FEBRUARY 26 (legislative day, JANUARY 29), 1951.—Ordered to be printed

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Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany S. 361]

The Committee on the Judiciary, to which was referred the bill (S. 361) for the relief of Herk Visnapuu and his wife, Naima, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

## PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Herk Visnapuu and his wife, Naima. The bill provides for appropriate quota deductions and for the payment of the required visa fees and head taxes.

## STATEMENT OF FACTS

The beneficiaries of the bill are 30- and 24-year-old natives of Estonia who last entered the United States as students on December 1, 1948. They attended Oberlin College, Oberlin, Ohio, where Mr. Visnapuu received his degree in June 1950, and where Mrs. Visnapuu expects to complete her studies in June 1951. Mr. Visnapuu plans to attend the School of Architecture, Western Reserve University, Cleveland, Ohio, during the present school year.

A letter dated December 27, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to S. 4053, which was a bill introduced in the Eighty-first Congress for the relief of the same aliens, reads as follows:

DECEMBER 27, 1950.

Hon. PAT McCARRAN,  
*Chairman, Committee on the Judiciary,*  
*United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 4053) for the relief of Herk Visnapuu and his wife, Naima, aliens.

The bill would provide that Herk Visnapuu and his wife, Naima, shall be considered to have been lawfully admitted to the United States for permanent residence as of the date of their last entries, upon payment of the required visa fees and head taxes. It would direct the Secretary of State to instruct the quota-control officer to deduct two numbers from the nonpreference category of the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that the aliens, who claim to be stateless, are natives of Estonia, Mrs. Visnapuu having been born in Tallinn, Estonia, on February 8, 1927, and Mr. Visnapuu in Tartu, Estonia, on April 26, 1920. Coming from Sweden, they entered the United States at the port of New York on December 1, 1948, when they were admitted as students under section 4 (e) of the Immigration Act of 1924, for a period of 1 year. They were granted an extension of their temporary stay until December 1, 1950. On April 13, 1949, Mr. Visnapuu was granted permission to accept employment, and on June 9, 1949, Mrs. Visnapuu was granted the same privilege. The files further reveal that both aliens attended Oberlin College, Oberlin, Ohio, after their arrival in this country. Mr. Visnapuu received his A. B. degree from that college in June 1950, and, according to the last information available, planned to attend the school of architecture, Western Reserve University, Cleveland, Ohio, during the present school year. Mrs. Visnapuu, who is majoring in chemistry, expects to complete her studies at Oberlin College in June 1951. It appears that the aliens are the recipients of scholarships and are employed at the colleges in order to earn their board and room. The aliens stated that they escaped from Estonia in 1944 at the time of the Russian occupation and that they fled to Sweden, where they were employed until coming to this country. Mr. Visnapuu stated that his parents were apparently still in Estonia. Mrs. Visnapuu stated that her mother is deceased and her father and brother reside in Sweden, but they expect to emigrate to Canada in the near future, her father having obtained his visa for admission to that country. Mr. and Mrs. Visnapuu desire to remain in this country permanently, but stated that, in the event they were not permitted to do so, they would try to go to Canada to be with Mrs. Visnapuu's father, rather than return to Sweden.

The quota for Estonia, with which the aliens are chargeable, is oversubscribed for many years and immigration visas are not readily obtainable. The record fails, however, to present considerations which would justify the enactment of special legislation granting them a preference over other aliens residing abroad who desire to enter this country for permanent residence. Mr. and Mrs. Visnapuu are not precluded from departing from the United States to some other country where they can reside until such time as they are able to obtain immigration visas.

Accordingly, the Department of Justice is unable to recommend enactment of this bill.

Yours sincerely,

PEYTON FORD,  
*Deputy Attorney General.*

Senator H. Alexander Smith, the author of the bill, has submitted the following information in connection with the case:

OBERLIN COLLEGE,  
 OFFICE OF THE PRESIDENT,  
*Oberlin, Ohio, August 3, 1950.*

Senator H. ALEXANDER SMITH,  
*Senate Office Building, Washington, D. C.*

DEAR SENATOR SMITH: Your kind letter of July 26 has been received in the absence of President Stevenson, who, with his family, is spending the summer in Europe.

I have talked with Mrs. Visnapuu this morning about their present status. In this country she and her husband are stateless, since the United States does not recognize the Russian occupation of Estonia as legal. They both hold visas which

are good until November 30, 1950, and will apply for a year's extension through the Cleveland office when that application can be made—one month prior to the termination of the present visas. They have Swedish alien passports which are good until November 1951.

Mrs. Visnapuu will be a student here during the coming year. Her husband has received his bachelor of arts degree from Oberlin and will next year be a graduate student at Western Reserve University.

I know that anything which you can do to help the Visnapuus will be greatly appreciated, both by them and by President Stevenson.

Sincerely yours,

RUTH T. FORSYTHE,  
*Secretary to the President.*

MARCH 21, 1950.

I was born on February 8, 1927, in Tallinn, Estonia. My father was an accountant. In 1936 my mother died. Until the spring of 1944 I was attending the high school in Tallinn.

In the fall of 1944 I left Estonia with my father and brother. By this time the Soviet Russian Army was occupying our country. We left for the same reason as the other refugees or so-called displaced persons; we escaped the Communist terror. We were fortunate to get a boat to Sweden; most of the people had to go to Germany where they were later taken care of as displaced persons.

While in Sweden I was studying at Sigtuna Gymnasium (equivalent to junior college), from where I graduated in February 1947. In April 1947 I was married to Herk Visnapuu, also from Estonia. In January of 1948 I entered the Pharmaceutical Institute in Stockholm, where I spent 7 months taking my internship. In the fall of 1949 my husband and I came to the United States in order to study for a year at Oberlin College, Oberlin, Ohio.

When we had been here a year we got the chance to study another year and thus also got our student visas extended until November 1950. When we came to this country we intended to return to Sweden after 1 year's study, although we realized that it would be much better to stay in this country because of the uncertain position of refugees in Sweden.

I received a letter from my father recently when he told us that he intends to leave Sweden, as he considers the political situation unfavorable for the refugees to stay there any longer. For this reason I would very much like to stay in this country and I wonder whether there would be any possibility to be taken under the displaced persons' quota, for which we would be qualified as other refugees, except for the fact that we come from Sweden.

NAIMA VISNAPUU.

MARCH 21, 1950.

I, Herk Visnapuu, was born on April 26, 1920, in Tartu, Estonia, as a son of music director, Eduard Visnapuu. I graduated from the gymnasium (eq. to junior college) in the spring of 1940. During the Russian occupation 1940-41 I was working on the railroads. Under the German occupation I was studying at the Technological University of Tallinn, Estonia, from 1942-43. Then I was mobilized to the Estonian Army. In 1944, when Russian troops started to occupy Estonian territory again and the Germans started to transport Estonian regiments to Germany—not willing to follow German order, I escaped by a little fishing boat to Sweden. In spite of the fact that we escaped for the same reason all refugees did, we were called in Sweden Russian citizens. In Sweden I was working at various architect offices and at the same time continuing my studies at the Technical Institute in Stockholm. Since February 1949 I have been a student at Oberlin College, Oberlin, Ohio.

HERK VISNAPUU.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 361) should be enacted.

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